

ENTERED

June 16, 2025

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

HOUSTON DIVISION

CHRISTOPHER J. VITATOE A/K/A
KRISJIANNIS DOUAGEISTE,
Plaintiff,

V.

KIPP, INC., SPRING BRANCH
INDEPENDENT SCHOOL DISTRICT,
SEHBA ALI, ALEXIS BROWN, ALBERT
WHITE, CRYSTAL BATISTE, ROY
MOORE, JONISHIA COOK, MELISSA
VASQUEZ, AALIYAH RAMOS, AUDREY
SOLOMON, CHUCK FIMBLE, AND LORI
RUSSELL,
Defendants.

CIVIL ACTION NO. 4:24cv5097

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

Having reviewed the Magistrate Judge's Memorandum and Recommendation dated May 28, 2025 (Dkt. 45) and no party having filed objections thereto, the Court is of the opinion that said Memorandum and Recommendation should be adopted by this court.

It is therefore **ORDERED** that the Magistrate Judge's Memorandum and Recommendation is hereby **ADOPTED** by this Court.

It is further **ORDERED** that Defendants Spring Branch Independent School District and Roy Moore's Motion to Dismiss (Dkt. 18) is **GRANTED**.

It is further **ORDERED** that Defendants Kipp, Inc., Sehba Ali, Alexis Brown, Albert White, Crystal Batiste, Melissa Vasquez, Aaliyah Ramos, Audrey Solomon, Chuck Fimble, and Lori Russell's Motion to Dismiss (Dkt. 21) is **GRANTED**.

It is further **ORDERED** that the Court **DISMISSES WITHOUT PREJUDICE** the action against Defendant Jonishia Cook for Plaintiff's failure to timely serve pursuant to Fed. R. Civ. P. 4(m).

It is further **ORDERED** that Plaintiff Christopher J. Vitatoe a/k/a Krisjiannis Douageiste's first Motion to Amend and to Joinder (Dkt. 23) is **DENIED**, the second Motion to Amend and to Joinder (Dkt. 39) is **DENIED AS MOOT**, and the Motion for Sanctions (Dkt. 32) is **DENIED**.

SIGNED at Houston, Texas this 16th day of June, 2025.



SIM LAKE

SENIOR UNITED STATES DISTRICT JUDGE